

BEFORE THE DEPARTMENT OF PUBLIC
HEALTH AND HUMAN SERVICES OF THE
STATE OF MONTANA

In the matter of the adoption of New) CORRECTED NOTICE OF
Rule I and the amendment of ARM) AMENDMENT
37.10.101, 37.10.104, and 37.10.105)
pertaining to living wills)

TO: All Concerned Persons

1. On August 14, 2008, the Department of Public Health and Human Services published MAR Notice No. 37-450 pertaining to the proposed amendment of the above-stated rules at page 1686 of the 2008 Montana Administrative Register, Issue Number 15. On November 6, 2008, the department published the notice of amendment at page 2356 of the 2008 Montana Administrative Register, Issue Number 21.

2. This corrected notice is to correct an error in ARM 37.10.104(2)(a)(i). The words "comfort one" were inadvertently omitted from the proposal and adoption notices and should have been shown as struck out as shown below.

37.10.104 LIVING WILL PROTOCOL FOR EMS PERSONNEL (1) remains as amended.

(2) For a patient who has completed a POLST or Comfort One form, emergency medical services personnel must follow the POLST protocol for providing palliative care or withholding life-sustaining procedures from a patient if a patient meets the following criteria:

(a) The identity of the patient has been clearly established and the personnel have been presented with any one of the following:

- (i) a ~~comfort one~~ POLST form for the patient;
- (ii) through (b) remain as amended.

AUTH: 50-9-110, MCA

IMP: 50-9-102, 50-9-103, MCA

3. Replacement pages for the corrected notice were submitted to the Secretary of State on December 31, 2008. All other provisions of the notice of amendment remain as adopted.

/s/ Shannon McDonald
Rule Reviewer

/s/ Anna Whiting Sorrell
Anna Whiting Sorrell, Director
Public Health and Human Services

Certified to the Secretary of State January 20, 2009.